

**WAUKEGAN PLANNING & ZONING COMMISSION  
MINUTES  
November 10, 2016**

**1.0 Roll Call**

7:00 PM

PRESENT: Anderson, Bartos, Rodriguez, Kolber, Griffin, Grimes, Haug

ABSENT: Garcia, Dye

**2.0 Approval of October 13, 2016 Minutes**

Motion by Commissioner Griffin and seconded by Commissioner Grimes to approve the minutes of the October 13, 2016 Planning & Zoning Commission meeting.

AYES: All

NAYES: None

**3.0 Audience Time**

None

**4.0 Old Business**

None

**5.0 New Business**

**5.1 Zoning Calendar #2516**

Petitioner: Independence Realty, LLC

Request: Text Amendment to Section 7.4-3, Conditional Uses, of the Waukegan Zoning Ordinance establishing "Stabling of horses (commercial)" as a Conditional Use in the ER-2 District; and text amendment to Section 7.4-4(2) establishing minimum lot area and minimum lot width for Stabling of horses (commercial)

Petitioner representatives present and explain items 5.1, 5.2, and 5.3 as they are all related. Petitioner attorney Don Walther explains that the property has been used continuously for over 30 years as an independent farm and horse stable that sits on 29.5 acres, and that the new owners of the property are requesting the text amendments and Conditional Use Permit to bring the property into legal conforming standards. Don Walther explains that the new property owners have made a significant investment in improvements and cleaning up the property. Don explains that the farm currently has a capacity for 90 horses, they have 75 horses at the moment, but would like to be able to have a maximum of 95 horses. Don states that they have heard of complaints in the past under previous ownership of manure smells and dust and debris, he informs the commission and audience that the new owners have implemented a manure management plan as well as a dust management plan.

Motion by Commissioner Grimes and seconded by Commissioner Griffin to seat Commissioner Anderson.

AYES: All      NAYES: None

Commissioner Bartos- Asks where the hay is stored and if there are Fire Department requirements and if there are pest control measures.

Don Walther-responds that there is a separate barn with a loft where hay is stored, and that they do have a private company service the property once a month for pest control measures.

Staff responds that there are no specific fire department requirements.

Chairman Rodriguez opens the meeting up to anybody in support of the applications  
None present, Chairman Rodriguez states there is a letter of support on file.

Chairman Rodriguez opens the meeting up to anybody in opposition of the applications  
None present, Chairman Rodriguez states there is a letter of opposition on file.

Chairman Rodriguez takes a question from the audience.

Kaye Newnone states that she lives behind the property and was just wondering when the property was annexed and why are these issues coming up now.

Staff responds that the property was annexed in the 1990's and the only reason these issues are coming up now is because there are new owners of the property and they wanted to make sure that everything they were doing was going to be legal and conforming.

Kaye Newnone asks the petitioners if there are any plans to hold equestrian shows on the property.

Don Walther petitioner representative says that there are no plans to hold equestrian shows.

Kaye Newnone asks what all of the different conditions are.

Staff reads all of the required conditions.

Ann Taylor speaks during public comment time and states that she has met with the petitioners and believes they have been good neighbors, she believes that the property was in deterioration and the new owners have made great improvements.

Staff report- Staff recommends approval of all three petitions with the conditions outlined.

Motion by Commissioner Bartos and seconded by Commissioner Kolber to recommend to the City Council the approval of Zoning Calendar #2516 the Text Amendment to Section 7.4-3, Conditional Uses, of the Waukegan Zoning Ordinance establishing "Stabling of horses (commercial)" as a Conditional Use in the ER-2 District; and text amendment to Section 7.4-4(2) establishing minimum lot area and minimum lot width for Stabling of horses (commercial)

AYES: All      NAYES: None

## **5.2      Zoning Calendar #2517**

Petitioner:      Independence Realty, LLC

Request:      Text Amendment to Section 7.4-4(3) establishing "Caretaker's residence" as a permitted accessory use with minimum lot area and lot width requirements; and text amendment to Section 7.4-5(3) establishing minimum setback requirements for a "Caretaker's residence"

Motion by Commissioner Griffin and seconded by Commissioner Kolber to recommend to the City Council the approval of Zoning Calendar #2517 the Text Amendment to Section 7.4-4(3) establishing "Caretaker's residence" as a permitted accessory use with minimum lot area and lot width requirements; and text amendment to Section 7.4-5(3) establishing minimum setback requirements for a "Caretaker's residence"

AYES: All      NAYES: None

## **5.3      Zoning Calendar #2518**

Petitioner:      Independence Realty, LLC

Address:      31668 N. River Road

Request:      Conditional Use Permit for "Stabling of horses (commercial)"

Motion by Commissioner Grimes and seconded by Commissioner Bartos to recommend to the City Council the approval of Zoning Calendar #2518 the Conditional Use Permit for “Stabling of horses (commercial)” at 31668 N. River Road.

AYES: All      NAYES: None

**5.4      Zoning Calendar #2519**

Petitioner:      Independence Realty, LLC

Location:      31668 N. River Road

Request:      Variance on the minimum lot area requirement for each horse stabled

WITHDRAWN

**5.5      Zoning Calendar #2520**

Petitioner:      Waukegan Unit School District #60

Request:      Text Amendment to Section 7.2-3(4) of the Waukegan Zoning Ordinance, establishing “Solar photovoltaic energy systems, energy storage, and related facilities” as a Conditional Use in the CR Conservation Recreation District

Chairman Rodriguez explains the role and duties of the Planning & Zoning Commission, he states that it is a public body that makes non-binding recommendations to the City Council. Chairman Rodriguez also states that both he and Commissioner Grimes are also member of the Waukegan School Board and because item 5.5 concerns the Waukegan School Board, both he and Commissioner Grimes will recuse themselves from this portion of the meeting.

Motion by Commissioner Anderson and seconded by Commissioner Griffin to seat Commissioner Kolber as the Chairmen Pro Tempore.

Petitioner representatives Harvey Sheldon Attorney and Kevin Krukenberg Construction Manager explain the proposed text amendment. Harvey states that the School District owns a large piece of property that some may know of as the old Yeoman landfill site. The site is currently zoned CR Conservation Recreation, because of the contamination on site from the landfill there are not many possible uses. The school district has explored the possibility of using the land for a possible solar photovoltaic energy system, energy storage, and related facilities. The petitioner is requesting a text amendment to allow such uses as a Conditional Use within the CR Zoning District. Any proposal would need to come back through the normal Conditional Use process.

Commission Griffin – could you explain a little bit of what the solar system would be like, is it large towers, etc...?

Harvey Sheldon- No it would not be large towers and dishes, it would be low lying solar panels.

Chairman Pro Tempore Kolber opens the meeting up to anybody in support of the petition.

None present.

Chairman Pro Tempore Kolber opens the meeting up to anybody in opposition of the petition.

None present.

Staff report- Staff recommends approval of the petition.

Motion by Commissioner Griffin and seconded by Commissioner Anderson to recommend to the City Council the approval of Zoning Calendar #2520 the Text Amendment to Section 7.2-3(4) of the Waukegan Zoning Ordinance, establishing “Solar photovoltaic energy systems, energy storage, and related facilities” as a Conditional Use in the CR Conservation Recreation District

AYES: All

NAYES: None

ABSTAIN: Rodriguez, Grimes

**6.0 Conditional Use Permit Reviews**

None

**7.0 Adjournment**

Motion by Commissioner Kolber and seconded by Commissioner Griffin to adjourn the November 10, 2016 Planning & Zoning Commission meeting.

AYES: All     NAYES: None

8:30 PM